

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)	
)	
ITT EDUCATIONAL SERVICES, INC., <i>et al.</i> ¹)	Case No. 16-07207-JMC-7A
)	
Debtors.)	Jointly Administered
_____)	
)	
DEBORAH J. CARUSO, the CHAPTER 7)	
TRUSTEE for ITT EDUCATIONAL)	
SERVICES, INC., ESI SERVICE CORP. and)	
DANIEL WEBSTER COLLEGE, INC.,)	
)	
Plaintiff,)	Adversary No. 18-50100
)	
vs.)	
)	
KEVIN MODANY, JOHN E. DEAN, C. DAVID)	
BROWN II, JOANNA T. LAU, THOMAS I.)	
MORGAN, JOHN VINCENT WEBER, JOHN F.)	
COZZI, SAMUEL L. ODLE, and JERRY M.)	
COHEN,)	
)	
Defendants.)	

**NOTICE OF INITIAL EXTENSION OF TIME TO RESPOND
TO FORMER DIRECTORS' MOTION TO DISMISS COMPLAINT**

Come now Deborah J. Caruso, the Chapter 7 Trustee for ITT Educational Services Inc., ESI Service Corp. and Daniel Webster College, Inc. ("the Trustee"), by counsel, and pursuant to S.D. Ind. B. 7006-1 hereby notice the Court and parties as follows:

1. On August 24, 2018, counsel for John E. Dean, C. David Brown II, Joanna T. Lau, Thomas I. Morgan, John Vincent Weber, John F. Cozzi, Samuel L. Odle and Jerry M. Cohen (collectively, the "Former Directors") filed a Motion to Dismiss the Complaint ("Motion to Dismiss").

¹ The debtors in these cases, along with the last four digits of their respective federal tax identification numbers are ITT Educational Services, Inc. [1311]; ESI Service Corp. [2117]; and Daniel Webster College, Inc. [5980].

2. The original due date for the Trustee's response to the Motion to Dismiss is September 21, 2018.
3. The Trustee requests an initial fourteen (14) day extension of time within which to file a response to the Motion to Dismiss.
4. Counsel for the Former Directors does not object to the requested extension.
5. The due date for the Trustee's response to the Motion to Dismiss is hereby extended to and including October 5, 2018.

Respectfully submitted,

/s/ Ronald J. Schutz

Ronald J. Schutz

Ronald J. Schutz (admitted *pro hac vice*)
Carly A. Kessler (admitted *pro hac vice*)

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/s/ John C. Hoard

John C. Hoard

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-and-

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Co-counsel to the Trustee

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2018, a copy of the foregoing *Notice of Initial Extension of Time to Respond to Former Directors' Motion to Dismiss Complaint* was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's Electronic Filing System. Party/parties may access this filing through the Court's system.

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I further certify that on the September 11, 2018, a copy of the foregoing *Notice of Initial Extension of Time to Respond to Former Directors' Motion to Dismiss Complaint* was mailed by first-class United States mail, postage prepaid, and properly addressed to the following:

None.

/s/ John C. Hoard
John C. Hoard